IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7353 OF 2004

Laxman Chokheshwar Ambolikar .. Petitioner.
Vs.
Ramesh Tabaji Chawan & Ors. .. Respondents.

WITH

WRIT PETITION NO.9633 OF 2004

Laxman Chokheshwar Ambolikar .. Petitioner.
Vs.
Ramesh Tabaji Chawan & Ors. .. Respondents.

Mr.A.P.Kulkarni for the petitioner.
Mr.S.G.Deshmukh for respondent no.1.

CORAM : D.B.BHOSALE, J.

DATED : 11TH OCTOBER, 2006

P.C.:

. Heard learned counsel for the petitioner and respondent no.1.

2. Mr.Deshmukh, learned counsel for respondent no.1, on instructions, submits that respondent no.1 shall have no objection for allowing the petitioner to raise a plea/objection if the suit is decreed, as to its executability on the ground that the property had already been declared as slum when the suit was filed, in the execution proceedings. In view of the statement made by Mr.Deshmukh, Mr.Kulkarni, learned

counsel for the petitioner does not press these writ petitions. The Writ Petitions are disposed of as not pressed with liberty to the petitioner to raise the plea/issue of executability of a decree, if passed, on the ground that on the date of the filing of the suit the suit property had already been declared as slum under the provisions of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971. The writ petitions are, accordingly, disposed of.

(D.B.Bhosale, J.)